

FROM MORGAN, LEWIS & BOCKIUS

(THU) 07.00'04.16:35/ST. 16:34/NO. 3561705985 P 1

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Name: Examiner Joseph R. Pokrzywa Firm: USPTO, Group Art Unit 2622
FAX #: 703-872-9306 Telephone #: 703-305-0146

FROM

Name: Mary Jane Boswell Floor: 4
Operator Sending: C. Merica, x-5169 Telephone #: 202.739.5646
FAX #: 202-739-3001 Date Sent: July 8, 2004 Number of Pages: 10
(including cover page)

FAX MESSAGE

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COMMENTS

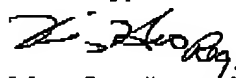
RE: U.S. Patent No. 09/450,584
Applicant: Shigeru TSUKIMURA
Attorney Docket No.: 046601-5034

Dear Examiner Pokrzywa:

Thank you for your telephone inquiry today regarding the above-identified patent application. Per your request, please find attached a copy of the Response and Request for Reconsideration filed on January 21, 2004 in response to the Office Action dated October 22, 2003.

If we may provide additional information, please do not hesitate to contact me.

Sincerely,

 Reg. No. 47,630

Mary Jane Boswell
Reg. No. 33,652

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In re Application of: Shigeru TSUKIMURA

Confirmation No.: 7883

Application No.: 09/450,584

Group Art Unit: 2622

Filed: November 30, 1999

Examiner: Joseph R. Pokrzywa

For: IMAGE PROCESSING DEVICE AND IMAGE PROCESSING METHOD

1. Response and Request for Reconsideration Transmittal Form
2. Response and Request for Reconsideration

Dated: January 21, 2004

Attorney Docket No.: 046601-5034

JDZ/chm



Billed 2/9/04

Alycia Johnson

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PATENT
ATTORNEY DOCKET NO. 046601-5034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shigeru TSUKIMURA

Application No. 09/450,584

Filed: November 30, 1999

For: IMAGE PROCESSING DEVICE
AND IMAGE PROCESSING METHOD

Confirmation No. 7883

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Mail Stop Non-Fee Amendment

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

RESPONSE AND REQUEST FOR RECONSIDERATION
TRANSMITTAL FORM

1. Transmitted herewith is an Response to the Office Action dated October 22, 2003.
2. Additional papers enclosed:

- ☐ Corrected Drawings: ☐ Formal ☐ Informal
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

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Application No.: 09/450,584
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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$-0-

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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Application No.: 09/450,584

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	9	minus	20	0		
Independent Claims (37 C.F.R. §1.16(b))	5	minus	5	0	x \$18 each=	+ \$ -0-
[] First presentation of Multiple dependent claim(s)					x \$86 each=	+ \$ -0-
SUB-TOTAL =					\$290.00	+ \$ -0-
Reduction by ½ for filing by a small entity						\$ -0-
TOTAL FEE =						- \$ -0-
						\$ -0-

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ Check in the amount of \$ _____ for _____. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☐ The Commissioner is hereby authorized to charge \$ _____ and any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

Mary Jane Hoswell
 Mary Jane Hoswell
 Reg. No. 33,652

Dated: January 21, 2004

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